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PATENT
Docket No. 290.0009 001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael S. Kinch et al.) Group Art Unit: 1645
Serial No.: 09/640,952)
Confirmation No.: 3252)
Filed: 17 August 2000)
For: EPHA2 AS A DIAGNOSTIC TARGET FOR METASTATIC CANCER (As Amended))

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7-3-02

DECLARATION UNDER 37 C.F.R. § 1.132

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Jacquelyn K. Torborg, declare and say as follows:

1. On May 1, 2002, I contacted Mark Yeager at the Purdue University library, Special Collections department, by telephone at 765/494-2905, to inquire regarding the public availability of the Ph.D. dissertations entitled, "Regulation of EPHA2 and Focal Adhesion Kinase in Breast Cancer," by Nicole Dodge Zantek, and "Regulation of Cell Signaling Induced by the Cell Adhesion Molecule, E-Cadherin," by Patrick W. Hein.
2. I was told by Mr. Yeager that the Ph.D. dissertation authored by Nicole Dodge Zantek, entitled, "Regulation of EPHA2 and Focal Adhesion Kinase in Breast Cancer," having a cover date of May, 1999, was authorized by the Purdue Graduate School on May 31, 2000, to be made available to the public. The Graduate School instructed the library by letter, received by the library on or about October 11, 2000, to make this thesis available to the public. The date the

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dissertation was made available to the public by the library was on November 8, 2000.

3. I was told by Mr. Yeager that the Ph.D. dissertation authored by Patrick W. Hein, entitled, "Regulation of Cell Signaling Induced by the Cell Adhesion Molecule, E-Cadherin," having a cover date of August, 1999, was authorized by the Purdue Graduate School on August 31, 2000, to be made available to the public. The Graduate School instructed the library by letter, received by the library on or about October 11, 2000, to make this thesis available to the public. The date the dissertation was made available to the public was by the library on November 8, 2000.

4. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

May 30, 2002
Date

By: Jacquelyn K. Torborg
Jacquelyn K. Torborg